

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MILO, LLC	:	
<i>Plaintiff,</i>	:	
	:	CIVIL ACTION
v.	:	
	:	NO. 16-5759
VIRGIL PROCACCINO, ET AL.	:	
	:	
<i>Defendants.</i>	:	

VIRGIL PROCACCINO, ET AL.	:
	:
<i>Third-Party Plaintiffs,</i>	:
	:
v.	:
	:
AB CONSTRUCTION, LLC, ET AL.	:
	:
<i>Third-Party Defendants.</i>	:

ORDER

AND NOW, this 13th day of April, 2020, upon consideration of Stanley Stephens Co., Inc.'s Motion to Dismiss the Joinder Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) (ECF No. 61), and all documents submitted in support thereof and in opposition thereto, it is **ORDERED** that the Motion is **DENIED**.

IT IS SO ORDERED.

BY THE COURT:

/s/ R. Barclay Surrick